

## PROFESSIONAL LICENSURE DIVISION[645]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 147.76, the Board of Nursing Home Administrators hereby gives Notice of Intended Action to rescind Chapter 140, "Administrative and Regulatory Authority for the Board of Examiners for Nursing Home Administrators," to amend Chapter 141, "Licensure of Nursing Home Administrators," Chapter 143, "Continuing Education for Nursing Home Administration," and Chapter 144, "Discipline for Nursing Home Administrators," and to rescind Chapter 145, "Fees," Iowa Administrative Code.

These proposed amendments add Iowa Code chapter 147 to the citations of board authority, where applicable, to be consistent with the addition of the profession to Iowa Code chapter 147; rescind chapters and rules that duplicate existing rules in 645—Chapters 4 and 5; revise the grounds for discipline to be consistent with changes in Iowa Code chapter 147; and provide for Web-based reporting of name and address changes by licensees.

Any interested person may make written comments on the proposed amendments no later than November 13, 2008, addressed to Sharon Dozier, Professional Licensure Division, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; E-mail [sdozier@idph.state.ia.us](mailto:sdozier@idph.state.ia.us).

A public hearing will be held on November 13, 2008, from 10 to 11 a.m. in the Fifth Floor Board Conference Room, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments.

These amendments are intended to implement Iowa Code chapters 21, 147, 155 and 272C.

The following amendments are proposed.

ITEM 1. Rescind and reserve **645—Chapter 140**.

ITEM 2. Strike "board of examiners for nursing home administrators" wherever it appears in **645—Chapter 141, Chapter 143 and Chapter 144** and insert "board of nursing home administrators" in lieu thereof.

ITEM 3. Amend rule 645—141.3(155), parenthetical implementation statute, as follows:

**645—141.3(147,155) Examination requirements.**

ITEM 4. Amend rule 645—141.8(155), parenthetical implementation statute, as follows:

**645—141.8(147,155) Licensure by reciprocal agreement.**

ITEM 5. Amend rule 645—141.9(155), parenthetical implementation statute, as follows:

**645—141.9(147,155) License renewal.**

ITEM 6. Rescind and reserve rules **645—141.12(155)** to **645—141.14(272C)**.

ITEM 7. Amend subrule 141.15(2) as follows:

**141.15(2)** Pay the reactivation fee that is due as specified in ~~645—Chapter 145~~ 645—Chapter 5.

ITEM 8. Amend subrule 144.2(3), introductory paragraph, as follows:

**144.2(3)** Professional ~~incompetency~~ incompetence. Professional ~~incompetency~~ incompetence includes, but is not limited to:

ITEM 9. Amend subrule 144.2(13) as follows:

**144.2(13)** Conviction of a ~~felony~~ crime related to the profession or occupation of the licensee or the conviction of any ~~felony~~ crime that would affect the licensee's ability to practice as a nursing home administrator. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

ITEM 10. Amend subrule 144.2(27) as follows:

**144.2(27)** Failure to report a change of name or address within 30 days after ~~the occurrence~~ it occurs. Name and address changes may be reported on the form provided by the board at [www.idph.state.ia.us/licensure](http://www.idph.state.ia.us/licensure).

ITEM 11. Rescind and reserve ~~645~~—**Chapter 145**.